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FISCAL IMPACT STATEMENT

LS 7006

BILL NUMBER: HB 1122

NOTE PREPARED: Feb 3, 2003

BILL AMENDED:

SUBJECT: Credit Time for Literacy and Life Skills Programs.

FIRST AUTHOR: Rep. Porter

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill permits an inmate to earn a maximum of 12 months of credit time for completing a literacy and basic life skills program approved by the Department of Correction.

Effective Date: July 1, 2003.

Explanation of State Expenditures: This bill has potentially two offsetting costs.

First, if more offenders become interested in enrolling and successfully complete the adult literacy program, it may reduce the length of stay for a significant number of offenders.

Second, depending on the interest of the offenders, this bill could increase the waiting list for enrolling in adult literacy programs. Increasing the waiting lists to enroll could potentially increase the need for more basic literacy programs.

Reducing the sentences of Offenders -- The maximum amount of credit that an offender could receive under this bill for completing a literacy and basic life skills program is 12 months, and at least a portion of the program requirements must be completed after June 30, 1999.

The Department of Correction (DOC) reports the number of offenders who have been enrolled in adult basic education classes by fiscal year in the following table:

Enrollment in Adult Basic Education Programs in DOC Facilities by Fiscal Year	
FY 2000	1,849
FY 2001	1,134
FY 2002	2,466
First Quarter of FY 2003	629

[Note: This fiscal note will be updated with additional information on the number of offenders who complete and receive a certificate of completion for a literacy and basic life skills program.]

Under current law, offenders in Department of Correction facilities may have a portion of their sentence reduced by remaining in Credit Class I (receiving one day of credit off of their sentence for each day served when complying with DOC facility rules of conduct) and by completing one or more of the following:

<u>Program Completed</u>	<u>Amount of Credit Time An Offender Can Earn</u>
General Education Development Diploma	6 Months
High School Diploma	One Year
Associate's Degree	One Year
Bachelor's Degree	Two Years
Certificate of Completion of a Vocational Education Program	Six Months
Certificate of Completion of a Substance Abuse Program	Six Months

The maximum amount of credit time that an offender can earn for completing a combination of diplomas and certificates is the lesser of four years or one third of the offender's applicable credit time.

The following table illustrates the amount of time that can be subtracted from an offender's sentence for remaining in Credit Class 1 and completing one or more diplomas and certificates.

Illustrations of the Amount of Maximum Sentence Reductions (In Years) That Offenders Can Earn Under Current Law				
<u>Nominal Sentence (In Years)</u>	<u>Maximum Credit Time Received by Remaining in Credit Class 1</u>	<u>Maximum Earned Credit Time</u>	<u>Potential Maximum Credit Time</u>	<u>Potential Minimum Time Served</u>
25	12.5	4	16.5	8.5
20	10	4	14	6
17.5	8.75	4	12.75	4.75
15	7.5	3.83	11.33	3.67
12	6	3.33	9.33	2.67
5	2.5	2.17	4.67	0.33

The average expenditure to house an adult offender was \$25,087 in FY 2001. Individual facility

expenditures ranged from \$18,520 to \$54,465. (This does not include the cost of new construction.) If offenders can be housed in existing facilities, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner.

Increasing Waiting Lists and Shifting Offenders – Waiting list size depends on the facility. DOC indicates that all facilities offer adult basic education and literacy programs and all facilities have a waiting list. DOC indicates that when waiting lists are high in some facilities, offenders will sometimes be transferred to other facilities so they can participate sooner in the program.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected:

Information Sources: Department of Correction.

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